

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Macheo Wells,

Civil No. 06-2135 (RHK/RLE)

Petitioner,

vs.

ORDER

Federal Bureau of Prisons,
Federal Prison Camp and
R.L. Morrison, Warden,

Respondents.

Based upon the Report and Recommendation of United States Magistrate Judge Raymond L. Erickson, and after an independent review of the files, records and proceedings in the above-entitled matter, it is **ORDERED**:

1. The Report and Recommendation (Doc. No. 9) is **ADOPTED**; and
2. The Petition for Writ of Habeas Corpus (Doc. No. 1) is **DENIED**, insofar as it would obligate the BOP to make a determination as to the Petitioner's placement in a RRC any sooner than the time period specified in Program Statement 7310.04, but is **GRANTED** to the extent of requiring the BOP to refrain from an RRC placement decision predicated upon 28 C.F.R. §§570.20, and 570.21.

Dated: January 31, 2007

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge